

REMARKS

Claims 1-9 are pending in this application with claims 1, 3-6 and 9 being amended by this response. Claim 1 has been amended to more clearly recite that the non-video data formatted as OSD data is auxiliary data. Claims 3-6 have been amended to conform with the amendments to claim 1. Claim 9 has been amended to correct typographical errors and more correctly recite the process of formatting non-video auxiliary data. It is respectfully submitted that these amendments were made for purposes of clarity and thus no new issues that would require a further search have been raised.

Objection to the Drawings

The Drawings stand objected to for certain informalities. The Examiner states that the claimed step of "inserting the OSD data into the analog video signal" in claim 9 is not shown in the drawings. It is respectfully submitted that this feature is fully supported by the specification and represented in the drawings. Firstly, this step was previously claimed in original claim 1. Furthermore, Figure 1, when taken in conjunction with the corresponding description, illustrates the microprocessor 20 which supplies appropriate control data, signature and similar information to the OSD 24 for inclusion as OSD data/information in the video signal (see page 7, lines 3-6). MPEG video decoder 22 includes or is connected to OSD 24. OSD 24 can insert the information during an active display region that is an overscan region and in the visible display region without causing objectionable artifacts (see page 4, line 30- page 5, line 4). Additionally, as stated on page 4, lines 8-9, an OSD system can be controlled to insert information at any location in the display region through the video signal. Furthermore, OSD can be utilized to generate or emulate control and/or auxiliary information or any other data or information in the non-blanked portions of the video signal (see page 5, lines 5-9). In view of the above, it is respectfully submitted that adequate support for the claimed step of "inserting the OSD data into the analog video signal" in claim 9 as well as the corresponding elements for

performing this step are shown in the drawings and described in the corresponding portions of the specification.

Rejection of Claim 9 under 35 USC § 112

Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with enablement requirement. Claim 9 has been amended in accordance with the comments of the Examiner to recite the step of converting the digital video signal to an analog video signal after insertion of the OSD data. In view of the amendments to claim 9 it is respectfully submitted that this claim is now in conformance with the specification and fully enabling. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claim 1 under 35 USC § 102(e)

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Sparks, (U.S. Patent No. 6,034,738).

The present invention as claimed in claim 1 recites a method of receiving non-video auxiliary data. The method includes receiving an analog video signal including non-video auxiliary data formatted as OSD data. The non-video auxiliary data is formatted as OSD data is detected and extracted from the analog signal. The non-video auxiliary data is then processed. The present claimed invention is concerned with insertion of auxiliary information into a video signal when the auxiliary information cannot be inserted according to conventional methods and in conventional locations within the signal. Claim 1 recites a method for extracting and processing the auxiliary data which has been formatted as OSD data and inserted into the video signal.

Sparks neither discloses nor suggests "receiving an analog video signal including non-video auxiliary data formatted as OSD data" as in the present claimed invention. Sparks recites a system including a receiver 100, a recorder and a display 300. Sparks is concerned with providing an OSD video display signal indicative of

recorder status with a video signal. The signal A/V+OSD 103 cited by the Examiner neither discloses nor suggests a video signal including non-video auxiliary data formatted as OSD data. Sparks is only concerned with insertion of an OSD video status signal into the video signal. Sparks neither discloses nor suggests insertion of non-video auxiliary data signals into the video signals let alone inserting non-video data signals formatted as OSD data into the video signal.

Sparks also neither discloses nor suggests "detecting the non-video auxiliary data formatted as OSD data" as in the present claimed invention. The video selector 310 mentioned by the Examiner is a selector switch for choosing between video input signals. Sparks neither discloses nor suggests detecting of non-video auxiliary data formatted as OSD data from a received video signal. Additionally, Sparks neither discloses nor suggests "extracting the detected non-video auxiliary data from the analog signal; and processing the non-video auxiliary data" as in the present claimed invention. As discussed above, Sparks is not concerned with non-video auxiliary data formatted as OSD data. Sparks is concerned with the inserting an OSD video signal for displaying the status of the video recorder into a video signal. Sparks neither discloses nor suggests a video signal including non-video auxiliary data formatted as OSD data as in the present claimed invention. As Sparks neither discloses nor suggests such a signal, Sparks cannot disclose extraction of non-video auxiliary data formatted as OSD data or processing of the non-video data formatted as OSD data.

Furthermore, Sparks is not concerned with insertion of auxiliary data into a video signal as in the present claimed invention. Sparks is concerned with a completely different problem, providing OSD status messages with a video signal. Thus, it is respectfully submitted that, in view of the above remarks and amendments to the claims, the present claimed invention is not anticipated by Sparks. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 1-3 and 5-8 under 35 USC § 102(e)

Claims 1-3, 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Knox et al. (U.S. Patent No. 6,480,238).

Knox et al., similarly to Sparks, neither disclose nor suggest "receiving an analog video signal including non-video auxiliary data formatted as OSD data" as in the present claimed invention. Unlike the present claimed invention, Knox et al. are concerned with generation of an OSD bitstream and insertion of the OSD bitstream into a video signal. Knox et al. do disclose forming an OSD packet including OSD header and OSD data. However, Knox et al. neither discloses nor suggests a video signal including non-video auxiliary data formatted as OSD data as in the present claimed invention. As Knox et al. is not concerned with a video signal including non-video auxiliary data, Knox et al. cannot disclose "detecting the non-video auxiliary data formatted as OSD data; extracting the detected non-video auxiliary data from the analog signal; and processing the non-video auxiliary data" as in the present claimed invention.

As discussed above, the present claimed invention is concerned with insertion of auxiliary information into a video signal when the auxiliary information cannot be inserted according to conventional methods and in conventional locations within the signal. Knox et al. is not concerned with the transmission or reception of non-video auxiliary data as in the present claimed invention. Knox et al. are only concerned with generating an OSD message on a display.

Thus, it is respectfully submitted that, in view of the above remarks and amendments to the claims, claim 1 is not anticipated by Knox et al. As claims 2, 3 and 5-8 are dependent on claim 1 it is respectfully submitted that these claims are not anticipated for the same reasons as claim 1. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knox et al. (U.S. Patent No. 6,480,238).

Regarding claim 4, as discussed above, Knox et al, neither discloses nor suggests receiving a video signal including non-video auxiliary data formatted as OSD data, and detecting, extracting and processing the non-video auxiliary data formatted as OSD data as claimed in claim 1 of the present claimed invention. As claim 4 is dependent on claim 1, it is respectfully submitted that claim 4 is allowable for the same reasons as claim 1.

Additionally, the Examiner has taken official notice that the non-video data could be included in a vertical blanking interval. However, claim 4 is not concerned with insertion of non-video data in a vertical blanking interval. Claim 4 recites that non-video auxiliary data usually included in the vertical blanking interval is instead formatted as OSD data. This is neither disclosed nor suggested by Knox et al. nor covered by the Official Notice taken by the Examiner. In view of the above remarks it is respectfully submitted that this rejection is satisfied and should be withdrawn.

The present invention as claimed in claim 9 recites a method of formatting non-video auxiliary data. The method includes receiving a digital video signal. Non-video auxiliary data signal is provided to an OSD generator and formatted as OSD data. The OSD data is then inserted into the video signal. The digital video signal is converted into an analog video signal the analog signal including the non-video auxiliary data signal formatted as OSD data is provided to an external device.

As discussed above, Knox et al. are concerned with generation of an OSD bitstream and insertion of the OSD bitsream into a video signal. Knox et al. do disclose forming an OSD packet including OSD header and OSD data. However, Knox et al. neither discloses nor suggests formatting non-video auxiliary data as OSD data and inserting the non-video auxiliary data formatted as OSD data into a video

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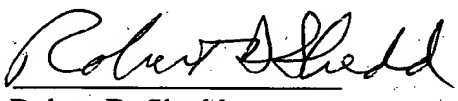
signal as in the present claimed invention. As Knox et al. is not concerned with a video signal including non-video auxiliary data, Knox et al. cannot disclose "detecting the non-video auxiliary data formatted as OSD data; extracting the detected non-video auxiliary data from the analog signal; and processing the non-video auxiliary data" as in the present claimed invention.

Thus, it is respectfully submitted that, in view of the above remarks and amendments to the claims, the present invention as claimed I claim 9 is not anticipated by Knox et al. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: June 10, 2004



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